

DECLARATION OF JAMES HICKS

I, James Hicks, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am currently the Division Chief of External Operations at the Student and Exchange Visitor Program (SEVP) within Homeland Security Investigations (HSI) at U.S. Immigration and Customs Enforcement (ICE). I have served in this position since February 2019 and, in addition, spent 18 months as the Acting Deputy Assistant Director for SEVP from October 2023 through March 2025. Prior to joining SEVP, I was an attorney within the ICE Office of the Principal Legal Advisor (OPLA), where I served as a Section Chief and Associate Legal Advisor between June 2009 and February 2019.

2. I provide this declaration based on my personal knowledge, reasonable inquiry, and information obtained from DHS personnel, various records, systems, databases, other Department of Homeland Security (DHS) employees, and information portals maintained and relied upon by DHS in the regular course of business.

3. For each plaintiff(s) in this case, SEVP has set their SEVIS record back to “active.” When the record was set to “active,” all previous information that was part of the SEVIS record is restored, and there are no “gaps” or “lapses” in the SEVIS record. However, due to technical limitations of the SEVIS system, the event history for a given record cannot be deleted from the system.

4. When specifically annotated on a court’s order, SEVP adds a notation into the SEVIS record, indicating that the record has been restored retroactively to the original date of the termination. Because of the technical limitations of the SEVIS system, these notations are not viewable by end-users outside of SEVP, such as Designated School Officials. Nonetheless, these notations are still part of the official SEVIS record.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of May 2025.

James Hicks, Division Chief
Student and Exchange Visitor Program
Homeland Security Investigations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security